

REMARKS

Given the withdrawal of the indicated allowability of the claims, claims 12-22, 38 and 40 now stand rejected under 35 USC §103 (a) as being unpatentable over Arango (US 5,732,078) in view of Tonnby (US 6,295,293), and (in respect of claim 13) in further view of Bernadis (US 4,782,517). The rejection is respectfully traversed.

Applicants fail to understand the relevance of any of these items of prior art to the present invention. Applicants are therefore concerned that Examiner may have misunderstood the nature of the present invention. In very general terms, each of these three items of prior art relate to access networks and the provision of network access services to end-users. In contrast, the present invention is concerned with the structure of a communications system having call servers for establishing end-to-end calls across a broadband network. One skilled in the art would appreciate that these are quite different areas of concern.

Turning to consider Examiner's rejections in detail, it is admitted that Arango discloses a system having a narrowband to broadband interface, a call server, and inherently what could be described as a network adapter. Examiner is also correct that Arango does not disclose a second call server.

However, Examiner further asserts that:

- 1) Tonnby discloses an IP call server (it is noted that Examiner does not assert that Tonnby discloses a plurality of call servers); and
- 2) Therefore, it would have been obvious to have a second call server in the invention of Arango in order to aid transmitting data over the Internet for time-intensive data.

Applicants cannot agree with either assertion.

Firstly, the reference in Tonnby (Fig 4 item 32) cited as being a call server is in fact an IP Access server comprising a set of xDSL modems (see Fig 4 and column 5 lines 10 – 14). Furthermore, Applicants can find no mention of a first, let alone a second, call server in Tonnby. This is not surprising since Tonnby is concerned with the provision of services to a subscriber over an access network, and not with the structure of a communications system having call servers for establishing end-to-end calls across a broadband network.

Secondly, Applicants simply fail to understand the Examiner's logic in his second assertion. How would the desire to aid transmitting data over the Internet for time-intensive data (a laudable aim but not a concern of the present invention) suggest to one skilled in the art that Arango should be modified to provide a second call server (which would do nothing towards achieving this aim)?

Thirdly, even if Tonnby did disclose a first or a second call server (which is clearly not the case) there is no suggestion or motivation to adapt the teaching of Arango by providing a second call server since neither Arango nor Tonnby is concerned with the structure of a communications system having call servers for establishing end-to-end calls across a broadband network, which is the technical area addressed by the present invention. Arango is primarily concerned with the provision of on-demand guaranteed bandwidth at Internet access points and Tonnby is concerned with the use of IP (rather than switched PSTN connections) in the access network for transport and multiplexing communications services.

Therefore, Examiner's rejections under 35 USC §103 (a) are unsubstantiated for these reasons alone.

However, Examiner has also failed to address each of the limitations of the pending claims. For example, claim independent 38 further recites:

"at least two call servers each containing at least one mutually exclusive group of trunks and each independently coupled to the narrowband to broadband interface and arranged to control interconnection of a call between a narrowband trunk and a virtual channel of the broadband network, the at least two call servers being responsive to a group of trunks that support common communication functions within each group such that communication system functionality is separated between the at least two call servers; and

a plurality of geographically distributed narrowband-to-broadband interfaces interconnected by a broadband network;

wherein the plurality of network adaptors are distributed across the communication system;

wherein interconnection of a call on a narrowband trunk is independently controlled by either of the at least two call servers;

wherein one of the call servers is selected to control the interconnection of the call based on a single communication function supported by the narrowband trunk;

wherein the group of trunks contain trunks that are incident to a plurality of network adaptor clusters; and

wherein the at least two call servers include:

a first call server arranged to administer the control of a first group of communication services within the communication system and between the plurality of geographically distributed narrowband-to broadband interfaces; and

a second call server arranged to administer the control of a second group of communication services within the communication system and between the plurality of geographically distributed narrowband-to broadband interfaces."

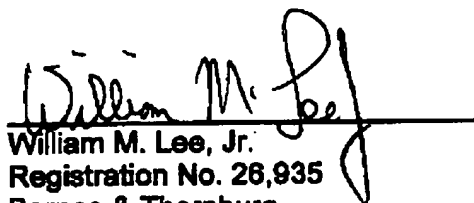
Applicants respectfully request that each of these specific claim limitations be properly addressed and discussed in relation to the prior art references if the Examiner is minded to maintain his claim rejections. It is submitted that the prior art lacks these limitations, as well.

Examiner's rejection of other claims is moot in view of the above.

For the reasons given above, it is submitted that the invention as defined by the claims is patentable over the prior art cited and Applicants look forward to receiving a Notice of Allowance in due course.

February 19, 2004

Respectfully submitted,



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